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S P E E C H,

DELIVERED IN

The HOUSE of ASSEMBLY

Of the Province of PENNSYLVANIA,

MAY 24th, 1764.

By JOHN DICKINSON, Esq;

One of the MEMBERS for the County of *Philadelphia*.

On Occasion of a PETITION, drawn up by Order, and then
under Consideration, of the *House*; praying his *Majesty* for
a Change of the *Government* of this *Province*,

WITH

A P R E F A C E.

*Certe ego libertatem, quæ mihi a Parente meo tradita est, experiar; verum
id frustra, an ob rem faciam, in vestra manu situm est, Quirites.*

SALL. Bell. Jugurth. in Orat. MEMMI.

As for me, I will assuredly contend for that glorious plan of *Liberty*
handed down to us from our ancestors; but whether my Labours
shall prove successful, or in vain, depends wholly on you, my dear
Countrymen!

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THE HOUSE OF ASSEMBLY
OF THE PROVINCE OF PENNSYLVANIA
BY JOHN DICKINSON, Esq.

One of the Members for the County of Philadelphia
On Occasion of the 17th of January 1777
under Commission of the Peace for the County of Philadelphia
a Change of the Court of the Peace

WITH
F. A. C. E.
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As the said Court of the Peace for the County of Philadelphia
is now composed of the following Members
and the said Court of the Peace for the County of Philadelphia
is now composed of the following Members

PHILADELPHIA: Printed for J. W. Smith and E. W. Smith, at the Sign of the Ship, in the City of Philadelphia.
LONDON: Printed for J. W. Smith and E. W. Smith, at the Sign of the Ship, in the City of London.

P R E F A C E.

TO understand clearly the nature of that dispute which led the Assembly to those measures, which are so justly animadverted on in the following excellent Speech, it will be proper to look a few years backward.

In the year 1759, Governor D——, whose administration will never be mentioned but with disgrace in the annals of this Province, was induced, by considerations to which the world is now no stranger, to pass sundry acts, contrary to his duty, and to every tie of honor and justice. On the 2d of September 1760, his late Majesty in council repealed six of these acts; and in regard to the 7th (which was an act for granting to his Majesty One hundred thousand Pounds, by a tax on all estates real and personal, &c.) the Lords of his Majesty's most honourable Privy Council declared it their opinion, " that the said act was fundamentally WRONG and UNJUST, and ought to be repealed, unless six certain amendments were made therein ;"—

BENJAMIN FRANKLIN and Robert Charles, Agents for the Province, undertook that, in case the act might be left unrepealed, " the Assembly of Pennsylvania would prepare and pass an act for making the amendments proposed by the Lords of the Council, and to indemnify the Proprietaries from any damage they might sustain by such an act not being prepared and passed. This stipulation was signed by the hands of the said agents, and the Proprietors for the sake of peace accepted of it.

BUT, notwithstanding the solemnity of this agreement, the Assembly, in framing the late *Supply-Bill*, insisted upon explaining the 2d and 3d articles of the stipulation in their own way, and inserting them in the bill in different words from those made use of by the Lords of Council, and signed by their own agents. The Governor, on the contrary, thought that no words could be so proper to convey the meaning of the Lords of Council and prevent disputes, as those which their Lordships themselves had made use of; and that he could neither in decency or duty depart from them.

HEREUPON messages ensued, and the Assembly, among other vehement and warm resolves, broke up with the following most extraordinary one, *viz.*

“THAT this House will adjourn, in order to consult their constituents, whether an humble address should be drawn up, and transmitted to his Majesty, praying, that he would be graciously pleased to take the people of this province, under his immediate protection and government, &c.”

WHAT methods were taken, during this adjournment, to lead a number of rash, ignorant, and inconsiderate people into petitions, the evil tendency of which they did not understand, is an enquiry not suitable to the present occasion. It is enough to say, that, after incredible pains, in a Province containing near THREE HUNDRED THOUSAND SOULS, not more than 3500 could be prevailed upon to petition for a change of government; and those very generally of a low rank, many of whom could neither read nor write.

THE wiser and better part of the province had far different notions of this measure. They considered that the moment they put their hands to these petitions, they

they might be surrendering up their birth-right, and putting it in the power of a few men, for the sake of gratifying their own ambitious projects and personal resentments, to barter away that glorious plan of public liberty and charter privileges, under which this Province has risen to the highest degree of prosperity, with a rapidity almost unparalleled in history.

THOUGH the ill success of these petitions must have been very mortifying to the projectors of them, yet the Assembly were, at all hazards, to be persuaded to make them the foundation of a petition to the King for a change of government. It was in vain to urge the smallness of the numbers who signed the petitions; the high veneration in which our present constitution hath long been held by good men of every denomination, and the multitudes of industrious people whom even the very fame of it hath invited among us, from almost every part of the world. These considerations were but slight bars to men actuated by ambition and resentment; men, who have long found their own importance to consist in fomenting the divisions of their country, and now hope to aggrandize themselves by bringing about the proposed change, whatever may be its consequences to others. They therefore found means to carry their petition through the House; but not without the most spirited testimony against it, from a NOBLE FEW, a PATRIOT MINORITY, whose names will be mentioned with honor, so long as any remembrance is left of the present boasted LIBERTIES of PENNSILVANIA.

AT the head of these FEW, the worthy author of the following SPEECH signalized himself. Having devoted to a severe course of study those years which too many give to dissipation and pleasure, he shewed himself, at his first entrance on public life, possessed of a knowledge of the laws and constitution of his country, which

which seldom falls to the share even of grey hairs. Alike independent in spirit and in fortune, removed as far as any man can be from all connexions with the Proprietors or their immediate friends, and following only the unbiassed dictates of his own heart ; he could not be a silent spectator while the most distant attempt was made upon that constitution, for which our fathers planted a wilderness, and which is derived to us by the FAITH OF CHARTERS, and SANCTITY OF LAWS !

THIS SPEECH was delivered on the 24th of May, and the late Speaker, Mr. NORRIS, with the four Members under-mentioned, are said to have declared to Mr. DICKINSON, that he had fully spoke their Sentiments, in his own. The next day in the afternoon, Mr. Dickinson *moved* that the further consideration of the matter should be adjourned to the following morning. But it was voted by a great majority (Mr. Dickinson, Mr. Joseph Richardson, Mr. Isaac Saunders, and Mr. John Montgomery being for the negative) that the PETITION, as then drawn, should be transcribed, in order to be signed by the Speaker ; which was ordered accordingly.

MR. Dickinson having then digested the heads of his speech into the nature of a *Protest*, in which he was joined by Mr. Saunders and Mr. Montgomery *, offered it to be entered in the minutes ; but it was refused.

MR. NORRIS the Speaker, who, from the nature of his office, could not join in the *Protest* or take any part in the debate, finding matters pushed to this extremity, informed the House, in a very solemn and affecting manner, " That for thirty years past he had had the honour of serving as a Representative of the

* See their letter below.

people of this Province, and near half that time as *SPEAKER*—That, in these offices, he had uniformly endeavoured, according to the best of his judgment, to promote the public good—That the subject of the present debate was a matter of the utmost importance to the Province—That, as his sentiments on the occasion were very different from those of the *majority*, and his seat in the chair prevented him from entering into the debate, he therefore *prayed* the House, That if, in consequence of their order, his duty should oblige him to sign the *Petition* as *Speaker*, he might be permitted to offer his sentiments on the subject before he signed, and that they might be entered on the minutes;” which was granted accordingly.

THE House then adjourned to the next morning, and when they met, the Clerk delivered the members a letter from the *Speaker*, acquainting them that his indisposition prevented his further attendance, and praying them to chuse a new *Speaker*. Thus this aged member and faithful servant of the House, as if foreseeing troubles to come, chose to retire, and leave them to those whose temper they better suited.

BENJAMIN FRANKLIN, Esq; was *accordingly* chosen *Speaker*, and in the afternoon of the same day, signed the *Petition*, as one of his first acts; an act which ... but posterity will best be able to give it a name?

As these transactions could not fail of being very interesting to the good people of this Province, it is not to be wondered that they expressed an earnest desire to see the following *Speech*, that they might be able to form some knowledge of what was intended: for their own Representatives did not think proper to let the contents of their petition for the proposed change be known; tho’ upon this single stake, so far as depended upon them, they have risked our whole constitution. On

the 6th of June, therefore, a great number of the principal Gentlemen of *Philadelphia*, applied to Mr. DICKINSON for a copy of his speech, by letter as follows viz.

" Philadelphia, June 6th, 1764.

" SIR,

WE whose names are underwritten, citizens of Philadelphia, acknowledge the obligations that the good people of this Province are under to you, for your spirited defence of our charter privileges, which we apprehend are greatly endangered by some late proceedings, particularly the setting on foot a petition to his Majesty for a change of government. We are surprized that our representatives, who ought to be guardians of the constitution, do not check rather than encourage this unseasonable application of a few (comparatively) of the people of this extensive Province. We hereby testify our sincere gratitude to you, Sir, and the other patriot Members that appeared on the side of our Charter and Privileges, and request a copy of the Speech you delivered on that occasion in the House, as we are perswaded that the publication thereof would be of great utility, and give general satisfaction. We beg leave to assure you of our regard, and are,

SIR,

Your most obedient

Humble Servants."

ABOUT

ABOUT the same time Mr. *Saunders* and Mr. *Montgomery*, earnestly desirous that their names might be joined with Mr. *Dickinson's* thro' this whole affair, sent him the following letter.

“SIR,

AS we are informed that a number of the principal gentlemen of the city of Philadelphia intend applying to you to have your Speech, which was deliver'd a few days ago in the House of Assembly, against the measures propos'd for a change of government, published; and as we are of opinion the publication thereof, together with the reasons on which our protest is founded, may be of considerable service: We judge it proper (in case you are of the same opinion of making them publick) that you should signify to the publick how heartily we have concurred with you in the same sentiments, set forth in your Speech, and in disapprobation of the late resolves of the House; this we judge a piece of justice due to ourselves, least we incur, from our constituents, the imputation of betraying or sacrificing their essential rights and privileges which we meant to defend: We likewise authorize you hereby to affix our names to the dissent and protest*, which the House refused entering on their minutes. We are respectfully,

Sir, *Your's &c.*

ISAAC SAUNDERS.

JOHN MONTGOMERY.”

* As all the arguments in this *Protest* are to be found more at large in the following Speech, it is not printed here, but will be published by itself in the News Papers.

HAVING thus given a faithful account, both of the occasion of this Speech, and of its publication, it would be almost impossible not to quote a few passages from former Assemblies, to shew in what high terms, even of rapture and admiration, they continually mentioned our present constitution and plan of government.

“ WE hope, say they *, the people of Pennsylvania will never be wanting to acknowledge the great wisdom and singular goodness of our late honourable Proprietor, from whom we derive the privileges of our annual elections, as well as many other immunities, which have so manifestly contributed to the prosperity of the Province, &c.” Again,

“ WHEN † we commemorate the many blessings bestowed on the inhabitants of this colony, the *religious* and *civil liberties* we possess, and to whom these valuable blessings, under God and the King, are owing, we should be wanting to ourselves, and them that we represent, did we not do justice to the memory of thy worthy ancestor”.

“ Our ‡ happy constitution, secured to us by the wisdom and goodness of our first Proprietary and founder of this province, so happily continued to us under the government of his honourable descendants, justly entitle them to our affection and zeal for their honour and interest.”

BUT it would be endless to quote all that has been said by our Assemblies, in favour of the constitution of this province, and its worthy founder. The sum of the whole, when taken from the minutes, and thrown together in their own express words, is nothing less than what follows.

* Assembly 1730.

† Address to the honourable JOHN PENN, Esq; 1764.

‡ Assembly 1738.

WILLIAM PENN,

- (1) A man of principles truly humane,
an Advocate for
RELIGION and LIBERTY;
(2) *Possessing* a noble spirit
That exerted itself
For the good of mankind,
WAS
(3) The great and worthy founder
Of
PENNSYLVANIA.
To its Inhabitants, by CHARTER,
(4) He granted and confirmed
(5) Many singular PRIVILEGES and IMMUNITIES,
(6) CIVIL and RELIGIOUS ;
(7) Which he continually studied
to preserve and defend for them,
Nobly declaring
(8) That they had not followed him so far
To lose a single tittle
Of the GREAT CHARTER
To which all *Englishmen* were born !
For these Services,
(9) Great have been the acknowledgements
Deservedly paid to his MERIT ;
(10) And his MEMORY
Is dear to his people,
Who have repeatedly confessed
That,
(11) Next to divine Providence,
(12) Their Happiness, Prosperity and Increase
(13) Are owing
To his wise conduct and singular goodness,
(14) Which deserve ever to be remembered,

(1) Minutes 1734.

(2) Minutes 1740.

(3) Minutes 1738.

1740, 1745.

(4) Minutes 1755.

(5) Minutes 1730.

(6) Minutes 1734.

(7) Minutes 1735.

(8) Minutes 1756.

(9) Minutes 1740.

(10) Minutes 1719.

(11) Minutes 1725.

(12) Minutes 1731.

(13) Minutes 1734.

(14) Minutes 1732.

With
GRATITUDE and AFFECTION,
By PENNSYLVANIANS.

WERE it intended to write the highest encomium on the constitution of this country, and to erect the most lasting monument to the memory of its illustrious founder, a more noble *inscription* could hardly be devised than what is contained in the foregoing minutes of Assembly: and a time may come, when impartial posterity, notwithstanding the present ingratitude of a *few*, may perhaps adapt it for this purpose.

As to the wild measures now on foot, they will undoubtedly destroy themselves by their own violence; and it would be impossible to add any thing that can more expose their rashness than what is contained in the following Speech. The Proprietors hold *their Right* by that charter under which ours is derived. Can the latter in law or equity be deemed more sacred than the former? Have the Proprietors, by any act of theirs, forfeited the least tittle of what was granted them by his Majesty's royal ancestors? Or can they be deprived of their charter-rights without their own consent? have they not constantly sheltered themselves under the wing of government, and received the approbation of his Majesty's first servants in the law to every material *Instruction* sent to their governors here?

In the present dispute nothing has been insisted upon on the part of our Governors but a strict adherence to what has been solemnly determined by his Majesty in Council.

INDEED we have every way the worst of this whole business. If a change were to take place, the Proprietors

prietors, before they resign their charter, would certainly obtain a full equivalent for their *Rights of Government*, and likewise have all their *Rights of Property* secured to them by laws which we could not dispute. Such a change, were they inclined to it, could certainly be of very little prejudice to them; but with respect to us the case is quite different. Instead of securing any thing in reversion or exchange, our representatives, by their present petition, seem (so far at least as depends on them) to have offered up our whole charter-rights, leaving it to the grace of others to return us any part, or indeed no part of them, according as it may be thought proper. But, thanks be to God, this is a power with which our representatives were never vested by us; and therefore the act they have committed is void in itself. Nor is there any doubt but an immense majority of the good people of this Province will still be found ready, at a proper time, to vindicate their charter-rights; and to let the world know that they hold those men unworthy of all future trust, who could wantonly sport with things so sacred.

FORMER Assemblies made it an article of impeachment against one of the most considerable * men of this Province, "That he had contrived to violate (only) a part of the constitution of this government." But what would they have thought of an attempt to violate the whole?

WE know it will be replied, that the change now proposed is not a violation of this kind, and that our privileges might be preserved in virtue of our *Laws*, even if our charter were given up. But a sufficient answer is given to this in page the 11th and 12th of the following *Speech*; and indeed it is astonishing, that

* James Logan, Esq;

this argument could ever be made use of to impose upon any person, when it is well known that the chief privileges, by which the constitution of this province is distinguished, depend upon our charter alone, and upon no positive law whatever.

AND here, let no wrong construction be put upon this defence of the particular constitution of *Pennsylvania*. Those who now contend for it, have the highest veneration for the dignity and authority of the Crown. They think themselves as much under its immediate protection as any of his Majesty's subjects on this continent are; and it is well known, that they have on all occasions been among the first of those who have appeared in defence of the just rights of our gracious Sovereign.

THEY think it may be said, without giving the least offence, that the inhabitants of this Province enjoy certain privileges which are not to be found in the governments around them, and which they could not have the least hopes of preserving in case of any change of our present constitution. Multitudes of people have chosen a settlement in this Province, preferable to all others, on account of these privileges; and they now think that they have a right to the perpetual enjoyment of them: as they are in no case inconsistent with good order or the public good. Many private corporations, in his Majesty's dominions, enjoy singular immunities upon the like foundation; and those bodies have never been thought undutiful for adhering tenaciously to their rights, from age to age. Certainly we may be considered in a something higher light than Corporate Bodies of this kind.

HAVING swelled this preface to a much greater length than was at first intended, we shall only offer one remark more, upon the terms in which the *Pe-*

tion of our Assembly is said to be drawn up. We have heard that this Province is described in it as a scene of *riot, violence and confusion*; but yet one can hardly judge it possible, that our representatives could venture to approach the royal ear with such an unjust account of their constituents. Nevertheless we have a right to insist on a copy of this petition from the Committee in whose hands it is, that, if we lie under any accusations in it, we may have an opportunity to answer them. This is so reasonable, that we are persuaded it cannot be refused, especially in a matter wherein we may be greatly affected.

We would only observe, that the present is not a time for divisions of any kind in his Majesty's colonies; but for the closest union among ourselves, that we may be able, by decent and just representations of the state of our country, to save it from burthens which it cannot bear, and to encourage it in those improvements whereof it is capable. Let it be remembered how little we have got by bringing our party quarrels before the Crown these many years past; most certainly nothing but shame to ourselves, and a load of expence to our country, which, however beneficial it may have been to the *Agents* employed, has not been of the least service to the public.

T H E

THE
S P E E C H
O F
JOHN DICKINSON, Esq; &c.

Mr. SPEAKER, **W**HEN honest men apprehend their country to be injured, nothing is more natural than to resent and complain: but when they enter into consideration of the means for obtaining redress, the same virtue that gave the alarm, may sometimes, by causing too great a transport of zeal, defeat its own purpose; it being expedient for those who deliberate of public affairs, that their minds should be free from all violent passions. These emotions blind the understanding: they weaken the judgment. It therefore frequently happens, that resolutions formed by men thus agitated, appear to *them* very wise, very just, and very salutary; while others, not influenced by the same heats, condemn those determinations, as weak, unjust, and dangerous. Thus, Sir, in councils it will always be found useful, to guard against even that indignation, which arises from integrity.

MORE particularly are *we* bound to observe the utmost caution in our conduct, as the experience of many years may convince us, that all our actions undergo the strictest scrutiny. — Numerous are the instances, that might be mentioned, of rights vindicated and equitable demands made in this province, according to the opinions entertained here, that in *Great-Britain* have been adjudged to be illegal attempts, and pernicious pretensions.

THESE adjudications are the acts of persons vested with such dignity and power, as claim some deference from us : and hence it becomes not unnecessary to consider in what light the measures now proposed may appear to those, whose sentiments, from the constitution of our government, it will always be prudent to regard.

BUT on this important occasion, we ought not to aim only at the approbation of men, whose authority may censure and controul us. More affecting duties demand our attention. The honour and welfare of *Pennsylvania* depending on our decisions, let us endeavour so to act, that we may enjoy our own approbation, in the cool and undisturbed hours of reflexion; that we may deserve the approbation of the impartial world; and of posterity, who are so much interested in the present debate.

No man, Sir, can be more clearly convinced than I am, of the inconveniences arising from a strict adherence to proprietary instructions. We are prevented from demonstrating our loyalty to our excellent Sovereign, and our affection to our distressed fellow-subjects, unless we will indulge the Proprietors, with a distinct and partial mode of taxation, by which they will save perhaps four or five hundred pounds a year, that ought to go in ease of our constituents.

THIS is granted on all sides to be unequal; and has therefore excited the resentment of this House. Let us resent—but let our resentment bear proportion to the provocation received; and not produce, or even expose us to the peril of producing, effects more fatal than the injury of which we complain. If the change of government now meditated can take place, with all our privileges preserved; let it instantly take place; but if *they* must be consumed in the blaze of royal authority, we shall pay too great a price for our approach to the throne; too great a price for obtaining (if we should obtain) the addition of four or five hundred pounds to the proprietary tax; or indeed for any emolument likely to follow from the change.

I HOPE I am not mistaken, when I believe that every member in this House feels the same reverence that I do, for these *inestimable rights*. When I consider the spirit of liberty that breathes in them, and the flourishing state to which this province hath risen in a few years under them, I am extremely desirous, that they should be transmitted to future ages; and I cannot suppress my solicitude, while steps are taking, that tend to bring them all into danger. Being assured, that this house will always think an attempt to change this government too hazardous, unless these privileges can be *perfectly secured*, I shall beg leave to mention the reasons by which I have been convinced, that such an attempt ought not *now* to be made.

It seems to me, Sir, that a people who intend an innovation of their government, ought to chuse the most proper *time*, and the most proper *method* for accomplishing their purposes; and ought seriously to weigh all the probable and possible *consequences* of such a measure.

THERE are certain periods in public affairs, when designs may be executed much more easily and advantageously, than at any other. It hath been by a strict attention to every interesting circumstance; a careful cultivation of every fortunate occurrence; and patiently waiting till they have ripened into a favourable conjuncture, that so many great actions have been performed in the political world.

It was through a rash neglect of this prudence, and too much *eagerness* to gain his point, that the Duke of *Monmouth* destroyed his own enterprize, and brought himself dishonourably to the block, though every thing then verged towards a revolution. The Prince of Orange with a *wise delay* pursued the same views, and gloriously mounted a throne.

It was through a like neglect of this prudence, that the commons of *Denmark*, smarting under the tyranny of their nobility, in a fit of revengeful fury, *suddenly* surrendered their liberties to the king; and ever since, with unavailing grief and useless execrations, have detested the *mad moment*, which slipt upon them the shackles of slavery, which no struggles can shake off. With *more deliberation*, the *Dutch* erected a stadholdership, that hath been of signal service to their state.

THAT excellent historian and statesman *Tacitus*, whose political reflexions are so justly and universally admired, makes an observation in his third annal, that seems to confirm these remarks. Having mentioned a worthy man of great abilities, whose ambitious ardour hurried him into ruin, he uses these words, "*quod multos etiam bonos pessum dedit, qui, spretis quæ tarda cum securitate, præmatura vel cum exitio properant.*" "Which misfortune hath happened to many good men, who despising those things which they

they might *slowly* and *safely* attain, seize them too hastily, and with fatal speed rush upon their own destruction."

Is then, Sir, the best intentions may be disappointed by too rapid a prosecution of them; many reasons induce me to think, that this is not the *proper time* to attempt the change of our government.

It is too notorious and too melancholy a truth, that we now labour under the disadvantage of royal and ministerial displeasure. The conduct of this province, during the late war, hath been almost continually condemned at home. We have been covered with the reproaches of men, whose stations give us just cause to regard their reproaches. The last letters from his majesty's secretary of state prove, that the reputation of the province has not yet revived. We are therein expressly charged with double dealing, disrespect for his Majesty's orders, and, in short, accusations, that shew us to be in the utmost discredit. Have we the least reason to believe, when the transactions of this year, and the cause of our application for a change, are made known to the king and his ministers, that their resentment will be waved? Let us not flatter ourselves. Will they not be more incensed, when they find the public service impeded, and his majesty's dominions so long exposed to the ravages of merciless enemies, by our inactivity and obstinacy, as it will be said? For this, I think, hath been the constant language of the ministry on the like occasions. Will not their indignation rise beyond all bounds, when they understand that our hitherto denying to grant supplies, and our application for a change, proceed from the governor's strict adherence to the terms of the stipulations, so solemnly made, and so repeatedly approved, by the late and present King?

BUT

BUT I may perhaps be answered, " that we have agreed to the terms of the stipulations, according to their true meaning, which the Governor refuses to do." Surely, Sir, it will require no slight sagacity in distinguishing, no common force of argument, to persuade his Majesty and his Council, that the refusal to comply with the true meaning of the stipulations proceeds from the Governor, when he insists on inserting in our bill the very words and letters of those stipulations.

" BUT these stipulations were never intended to be inserted *verbatim* in our bills, and our construction is the most just." I grant it appears so to *us*, but much I doubt, whether his Majesty's Council will be of the same opinion. That Board and this House have often differed as widely in their sentiments. Our judgment is founded on the knowledge we have of facts, and of the purity of our intentions. The judgment of *others*, is founded on the representations made to them, of those facts and intentions. These representations may be unjust; and therefore the decisions that are formed upon them, may be erroneous. If we are rightly informed, we are represented as the mortal enemies of the proprietors, who would tear their estates to pieces, unless some limit was fixed to our fury. For *this purpose* the second and third articles of the stipulations were formed. The inequality of the mode was explained and enlarged upon by the provincial council; but in vain. I think, I have heard a worthy member, who lately returned from *England*, mention these circumstances.

If this be the case, what reasonable hope can we entertain, of a more favourable determination *now*? The Proprietors are still living. Is it not highly probable that they have interest enough, either to prevent the change, or to make it on such terms, as will fix
upon

upon us *for ever*, those demands that appear so extremely just to the *present Ministers*? One of the Proprietors appears to have great intimacy and influence, with some very considerable members of his Majesty's Council. Many men of the highest character, if public reports speak truth, are now endeavouring to establish proprietary governments, and therefore probably may be more readily inclined to favour proprietary measures. The very gentlemen who *formed* the articles of the stipulations, *are now in power*, and no doubt will inforce their *own Acts* in the strictest manner. On the other hand, every circumstance that now operates against us, may in time turn in our favour. We may perhaps be fortunate enough to see the present prejudices against us, worn off: to recommend ourselves to our Sovereign: and to procure the esteem of some of his ministers. I think I may venture to assert, that such a period will be infinitely more proper than the present, for attempting a change of government.

With the permission of the House, I will now consider the *manner* in which this attempt is carried on; and I must acknowledge, that I do not in the least degree approve of it.

The time may come, when the weight of this government may grow too heavy for the shoulder of a subject; at least, too heavy for those of a woman, or an infant. The proprietary family may be so circumstanced, as to be willing to accept of such an equivalent for the government from the crown, as the crown may be willing to give. Whenever this point is agitated, either on a proposal from the crown or proprietors, this province may plead the cause of her privileges with greater freedom, and with greater probability of success, than at present. The royal grant; the charter founded upon it; the public faith pledged to

to the adventurers, for the security of those rights to them and their posterity, whereby they were encouraged to combat the dangers, I had almost said, of another world, to establish the British power in remotest regions, and add inestimable dominions with the most extensive commerce to their native country; the high value and veneration we have for these privileges; the afflicting loss and misfortune we should esteem it, to be deprived of them, and the unhappiness in which his majesty's faithful subjects in this province would thereby be involved; our inviolable loyalty and attachment to his Majesty's person and illustrious family, whose sovereignty hath been so singularly distinguished by its favourable influence on the liberties of mankind.—ALL these things may then be properly insisted on. If urged with that modest heart-felt energy, with which good men should always vindicate the interests of their country before the best of sovereigns, I should not despair of a gracious attention, to our humble requests. Our petition in such a case, would be simple, respectful, and perhaps affecting.

BUT in the present mode of proceeding, it seems to me, that we preclude ourselves from every office of decent duty to the most excellent of Kings; and from that right of earnestly defending our privileges, which we should otherwise have. The foundation of this attempt, I am apprehensive, will appear to others, *peculiarly unfortunate*. In a sudden passion, it will be said, against the proprietors, we call out for a change of government. Not from reverence for his Majesty; not from a sense of his paternal goodness to his people; but because we are angry with the Proprietors; and tired of a dispute founded on an order approved by his Majesty, and his royal grandfather.

OUR

OUR powerful friends on the other side of the *Atlantic*, who are so apt to put the kindest constructions on our actions, will no doubt observe, "that the conduct of the people of *Pennsylvania* must be influenced by very extraordinary councils, since they desire to come *more immediately* under the King's command, BECAUSE they will *not obey* those royal commands, which have been already signified to them."

But here it will be said ; nay it has been said ; and the petition before the House is drawn accordingly ; " we will not alledge this dispute with the Governor on the stipulations, but the general inconveniences of a proprietary government, as the cause of our desiring a change." 'Tis true we may act in this artful manner ; but what advantages shall we gain by it ? Though *we* should keep the secret, can we seal up the lips of the Proprietors ? Can we recal our messages to the Governor ? Can we annihilate our own resolves ? Will not all——will not any of these discover the *true cause* of the present attempt ?

WHY then, should we unnecessarily invite fresh invectives in the very beginning of a most important business, that to be happily concluded, requires all the favour we can procure, and all the dexterity we can practice ?

WE intend to surround the throne, with petitions that our government may be changed from proprietary to royal. At the same time we mean to preserve our privileges : But how are these two points to be reconciled ?

IF we express our desire for the preservation of our privileges, in so general or faint a manner as may induce the King to think they are of no great conse-

quence to us, it will be nothing less than to betray our country.

If, on the other hand, we inform his Majesty, "that though we *request* him to change the government, yet we *insist* on the preservation of our privileges," certainly it will be thought an unprecedented Stile of petitioning the crown, that humbly asks a favour, and boldly prescribes the terms, on which it must be granted.

How then shall we act? Shall we speak, or shall we suppress our sentiments? The first method will render our request incoherent: the second will render it dangerous.

Some gentlemen are of opinion, that these difficulties may be solved, by intrusting the management of this affair to an Agent: but I see no reason to expect such an effect. I would first observe that this matter is of too prodigious consequence to be trusted to the discretion of an Agent. —But if it shall be committed by this House, *the proper guardian of the public liberties*, to other hands, this truth must at some time or other be disclosed, "that we will never consent to a change, unless our privileges are preserved." I should be glad to know, with what finesse this matter is to be conducted. Is the agent to keep our petition to the crown in his pocket, till he has whispered to the ministry? Will this be justifiable? Will it be decent? Whenever he applies to *them*, I presume, they will desire to know his authority for making such an application. Then our petition must appear; and whenever it does appear, either at first or last, *that*, and the others transmitted with it, I apprehend, will be the foundation of any resolutions taken in the King's Council.

Thus, in whatever view this transaction is considered, shall we not still be involved in the dilemma already
ready

ready mentioned, " of begging a favour from his Majesty's goodness, and yet shewing a distrust that the royal hand, stretched out at our own request for our relief, may do us an injury ?"

LET me suppose, and none can offer the least proof of this supposition being unreasonable, that his Majesty will not accept of the government, clog'd, as it will be said, with privileges inconsistent with the royal rights : how shall we act then ? We shall have our choice of two things ; one of them destructive : the other dishonourable. We may either renounce the laws and liberties framed and delivered down to us by our careful ancestors : or we may tell his Majesty, with a surly discontent, " that we will not submit to his *implored protection*, but on such conditions, as we please to impose on him." Is not this the inevitable and dreadful alternative, to which we shall reduce ourselves ?

IN short, Sir, I think the farther we advance in the path we are now in, the greater will be the confusion and danger in which we shall engage ourselves. Any body of men acting under a charter must surely tread on slippery ground, when they take a step that may be deemed a surrender of that charter. For my part, I think the petitions that have been carried about the city and country to be signed, and are now lying on the table, can be regarded in no other light, than as a surrender of the charter, with a short indifferent hint annexed of a desire, that our privileges may be spared, if it shall be thought proper. Many striking arguments may in my opinion be urged, to prove that any request made by this House for a change, may with still greater propriety be called a surrender. The common observation " that many of our privileges do not depend on our charter only, but are confirmed by laws approved by the Crown," I

doubt will have but little weight with those, who will determine this matter.

It will readily be replied, " that these laws were founded on the charter ; that they were calculated for a proprietary government, and for no other ; and approved by the Crown in that view alone : that the proprietary government is now acknowledged by the people living under it to be a bad government ; and the Crown is intreated to accept a surrender of it : that therefore, by abolishing the proprietary government, every thing founded upon it must of consequence be also abolished."

HOWEVER, if there should be any doubts in the law on these points, there is an easy way to solve them.

THESE reflexions, Sir, naturally lead me to consider the *consequences* that may attend a change of government ; which is the last point, I shall trouble the House upon at this time.

It is not to be questioned, but that the Ministry are desirous of vesting the immediate government of this Province, advantageously in the Crown. 'Tis true, they don't chuse to act arbitrarily, and tear away the present government from us, without our consent. This is not the age for such things. But let us only furnish them with a pretext, by pressing petitions for a change ; let us only relinquish the hold we now have, and in an instant we are precipitated from that envied height where we now stand. The affair is laid before the Parliament, the desires of the Ministry are insinuated, the rights of the Crown are vindicated, and an act passes to deliver us at once from the government of Proprietors, and the privileges we claim under them.

THEN

THEN, Sir, we who in particular have presented to the authors of the fatal change, this *long-wish'd* for opportunity of effecting it, shall for *our assistance* be entitled to their thanks — *Thanks!* which, I am persuaded, every worthy member of this House would *abhor* to deserve, and would *scorn* to receive.

It seems to be taken for granted, that, by a change of government, we shall obtain a change of those measures which are so displeasing to the people of this Province — that justice will be maintained by an equal taxation of the proprietary estates — and that our frequent dissensions will be turned into peace and happiness.

THESE are effects indeed sincerely to be wished for by every sensible, by every honest man: but reason does not always teach us to expect the warm wishes of the heart. Could our gracious Sovereign take into consideration, the state of every part of his extended dominions, we *might* expect redress of every grievance: for with the most implicit conviction I believe, he is as just, benevolent, and amiable a Prince, as Heaven ever granted in its mercy to bless a people. I venerate his virtues beyond all expression. But *his* attention to our particular circumstances being impossible, we must receive our fate from ministers; and from *them*, I do not like to receive it.

WE are not the subjects of ministers; and therefore it is not to be wondered at, if they do not feel that tenderness for us, that a good prince will always feel for his people. Men are not born ministers. Their ambition raises them to authority; and when possessed of it, one established principle with them seems to be, “never to deviate from a precedent of power.”

Did

DID we not find in the late war, though we exerted ourselves in the most active manner in the defence of his Majesty's dominions, and in promoting the service of the Crown, every point, in which the Proprietors thought fit to make any opposition, decided against us? Have we not also found, since the last disturbance of the public peace by our savage enemies, the conduct of the late Governor highly applauded by the ministry, for his adherence to those very stipulations now insisted on; and ourselves subjected to the *bitterest reproaches*, only for attempting to avoid burthens, that were thought extremely grievous. Other instances of the like kind I pass over, to avoid a tedious recapitulation.

SINCE then, the gale of ministerial favour has in *all seasons* blown propitious to proprietary interest, why do we now fondly flatter ourselves, that it will *suddenly* shift its quarter? Why should we, with an *amazing credulity*, now fly for *protection* to those men, trust *every thing* to their mercy, and ask the most distinguishing favours from their kindness, from whom we complained, a few months ago, that we could not obtain the most reasonable requests? Surely, Sir, we must acknowledge one of these two things: either, that our *complaint* was then *unjust*; or, that our *confidence* is now *unwarranted*. For my part, I look for a rigid perseverance in former measures. With a new government, I expect new disputes. The experience of the royal colonies convinces me, that the immediate government of the Crown, is not a security for that tranquillity and happiness we promise ourselves from a change. It is needless for me to remind the House, of all the frequent and violent controversies that have happened between the King's Governors in several provinces, and their Assemblies. At this time, if I am rightly informed, *Virginia* is struggling against an instruction relating to their paper currency, that will
I be

be attended, as that colony apprehends, with the most destructive consequences, if carried into execution.

INDEED, Sir, it seems vain to expect, where the spirit of liberty is maintained among a people, that public contests should not *also* be maintained. Those who govern, and those who are governed, seldom think they can gain too much on one another. Power is like the ocean; not easily admitting limits to be fixed in it. It must be in motion. Storms indeed are not desirable: but a long dead calm is not to be looked for; perhaps, not to be wished for. Let not us then, in expectation of *smooth seas*, and an *undisturbed course*, too rashly venture our *little vessel* that hath safely sailed round our own well known shores, upon the *midst* of the *untry'd deep*, without being first fully convinced, that her *make* is strong enough to bear the *weather* she may meet with, and that she is well *provided* for so long and so dangerous a voyage.

No man, Sir, amongst us hath denied, or will deny, that this Province must *stake*, on the event of the present attempt, liberties that ought to be immortal. — *Liberties!* founded on the acknowledged rights of human nature; and restrained in our mother-country, only by an unavoidable necessity of adhering, in some measure, to long established customs. Thus hath been formed between old errors and hasty innovations, an entangled chain, that our ancestors either had not moderation or leisure enough to untwist.

I WILL now briefly enumerate, as well as I can recollect, the particular privileges of *Pennsylvania*.

IN the first place, we here enjoy that best and greatest of all rights, *a perfect religious freedom*.

POSTS

POSTS of honour and profit are unfettered with oaths or tests; and therefore are open to men, whose abilities, strict regard to their conscientious persuasion, and unblemished characters, qualify them to discharge their duties with credit to themselves, and advantage to their country. Thus justice is done to merit; and the public loses none of its able servants.

THE same wisdom of our laws has guarded against the absurdity of granting greater credit even to villains, if they will swear, than to men of virtue, who from religious motives cannot. Therefore those who are conscientiously scrupulous of taking an oath are admitted as witnesses in criminal cases. Our legislation suffers no checks, from a council instituted, in fancied imitation of the House of Lords. By the right of sitting on our own adjournments, we are secure of meeting, when the public good requires it: and of not being dismissed, when private passions demand it. At the same time, the strict discharge of the trust committed to Us, is enforced by the short duration of our power, which must be renewed by our constituents every year.

NOR are the people stript of all authority, in the execution of laws. They enjoy the satisfaction of having some share, by the appointment of provincial commissioners, in laying out the money which they raise; and of being in this manner assured, that it is applied to the purposes, for which it was granted. They also elect sheriffs and coroners; officers of so much consequence, in every determination that affects honour, liberty, life, or property.

LET any impartial person reflect, how contradictory some of these privileges are to the most antient principles of the English constitution, and how directly opposite others of them are to the settled prerogatives
of

of the crown; and then consider, what probability we have of retaining them on a *requested* change: that is, of continuing in fact a proprietary government, though we humbly pray the King to change this government. Not unaptly, in my opinion, the connexion between the proprietary family and this Province, may be regarded as a marriage. Our privileges may be called the fruits of that marriage. The domestic peace of this family, it is true, has not been unvexed with quarrels and complaints: But the pledges of their affection ought always to be esteemed: and whenever the parents on an *imprudent request* shall be *divorced*, much I fear, that their *issue* will be declared *illegitimate*. — This I am well persuaded of, that surprizing must our behaviour appear to all men, if, in the instant when we apply to his Majesty for relief from what we think oppression, we should discover a resolute disposition to deprive him of the uncontroverted prerogatives of his royal dignity.

At this period, when the administration is regulating new colonies, and designing, as we are told, the *† strictest reformati*ons in the old, it is not likely that they will grant an invidious distinction in our favour. Less likely is it, as that distinction will be liable to so many, and such strong *constitutional* objections; and when we shall have the weight both of the clergy and ministry, and the universally-received opinions of the people of our mother country to contend with.

I MEAN not, Sir, the least reflexion on the church of *England*. I reverence and admire the purity of its doctrine, and the moderation of its temper. I am

* *Imperium facile iis artibus retinetur, quibus initio partum est.*

Sall. Bell. Catalin.

† Some late Acts of Parliament shew what strict reformations are to be made in the Colonies.

convinced, that it is filled with learned and with excellent men: but all zealous persons think their own religious tenets the best, and would willingly see them embraced by others. I therefore apprehend, that the dignified and reverend gentlemen of the church of *England*, will be extremely desirous to have ~~that~~ church as well secured, and as much distinguished as possible, in the *American* colonies: especially in those colonies, where it is overborne, as it were, by dissenters. There never can be a more critical opportunity for this purpose than the present. The cause of the church will besides be connected with that of the crown, to which its principles are thought to be more favourable, than those of the other professions.

We have received certain information, that the conduct of this Province, which has been so much censured by the ministry, is attributed to the influence of a society, that holds warlike measures at all times to be unlawful. — We also know, that the late tumultuous and riotous proceedings, which are represented in so strong a light by the petition now before the House, have been publicly ascribed to the influence of another society. Thus the blame of every thing disreputable to this province is cast on one on the other of these dissenting sects. Circumstances! that I imagine, will neither be forgot, nor neglected.

We have seen the event of our disputes concerning the *Proprietary* interests; and it is not to be expected, that our success will be greater when our opponents become more numerous; and will have more dignity, more power, and, as they will think, more law on their side.

THESE

THESE are the dangers, Sir, to which we are now about to expose those privileges, in which we have hitherto so much gloried. *Wherefore?* To procure two or three, perhaps four or five hundred pounds a year (for no calculation has carried the sum higher) from the Proprietors, for two or three or four or five years; for so long, and something longer perhaps, the taxes may continue.

BUT are we sure of gaining this point? *We are not.* Are we sure of gaining any other advantage? *We are not.* Are we sure of preserving our privileges? *We are not.* Are we under a necessity of pursuing the measure proposed at this time? *We are not.*

HERE, Sir, permit me to make a short Pause. — Permit me to appeal to the heart of every member in this House, and to entreat him to reflect, how far he can be justifiable in giving his voice, thus to hazard the liberties secured to us by the wise founders of this Province; peaceably and fully enjoyed by the present age, and to which posterity is so justly entitled.

BUT, Sir, we are told there is no danger of losing our privileges, if our government should be changed; and two arguments are used in support of this opinion. — The first is, “That the government of the Crown is exercised with so much lenity in *Carolina* and the *Jerseys*.” — I cannot perceive the least degree of force in this argument. As to *Carolina*, I am not a little surprized, that it should be mentioned on this occasion, since I never heard of one privilege that colony enjoys, more than all the other royal governments in *America*. The privileges of the *Jerseys* are of a different nature from many of which we are possess; and are more consistent with the royal prerogative.

INDREED I know of none they have, except that *Quakers* may be witnesses in criminal cases, and may bear offices. Can this indulgence, shewn to them for no particular reason, and not contradictory to the rights of the crown, give us any just cause to expect the confirmation of privileges directly opposite to those rights; and for confirming which, no such reason exists. But perhaps the gentlemen, who advance this argument, mean, that we shall purchase a change at a cheap price, if we are only reduced to the same state with the *Jerseys*—Surely, Sir, if this be their meaning, they entirely forget those extraordinary privileges, which some time ago were mentioned.

How many must we in such a case renounce! I apprehend, it would prove an argument of little consolation to these gentlemen, if they should lose three-fourths of their estates, to be told, that they still remain as rich as their neighbours, and have enough to procure all the necessaries of life.

It is somewhat remarkable, that this single instance of favour in permitting an affirmation instead of an oath, in a single province, should be urged as so great an encouragement to us, while there are so many examples of another kind to deter us. In what royal government besides the *Jerseys*, can a *Quaker* be a witness in criminal cases, and bear offices (a)? In no other. What can be the reason of this distinction in the *Jerseys*? Because in the infancy of that colony, when it came under the government of the crown, there was, as appears from authentic vouchers, an ABSOLUTE NECESSITY, from the scarcity of other proper persons, to make use of the people called

(a) It is said, that a *Quaker* was lately committed to goal in *New-York*, because he would not swear in a criminal case.

Quakers in public employments. Is there such a necessity in this Province? Or can the ministry be persuaded, that there is such a necessity? No, Sir, those from whom they will receive their information, will grant no such thing; and therefore I think there is the *most imminent danger*, in case of a change, that the people of *this society* will lose the exercise of those rights, which though they are intitled to as men, yet such is the situation of human affairs, they with difficulty can find a spot on the whole globe where they are allowed to enjoy them. It will be an argument of some force, I am afraid, that the church of *England* can never expect to raise its head among us, while we are encouraged, as it will be said, in dissention: but if an *oath* be made necessary for obtaining offices of honour and profit; it will then be expected that any *Quakers*, who are tempted to renounce their principles, will undoubtedly make an addition to the established church.

If any other consideration than that which has been mentioned was regarded in granting that indulgence in the *Jerseys*, though no other is exprest, it seems not improbable, that the nearness of this Province might have had some weight, as from its situation it afforded such strong temptations to the inhabitants of the *Jerseys* to remove hither, had they been treated with any severity.

THEIR government in some measure was formed in imitation of our government; but when this is altered, the *English* constitution must be the model, by which it will be formed.

HERE it will be said, "this cannot be done but by the Parliament; and will a British Parliament do such an act of injustice, as to deprive us of our rights?"

This

This is the second argument, used to prove the safety of the measures now proposed.

CERTAINLY the British Parliament will not do, what they think, an unjust act: but I cannot persuade myself, that *they* will think it unjust, to place us on the same footing with themselves. It will not be an easy task to convince them, that the people of *Pennsylvania* ought to be distinguished from all other subjects, under his Majesty's *immediate* government; or that such a distinction can answer any good purpose. May it not be expected, that they will say, "No people
" can be freer than ourselves; every thing more than
" we enjoy, is licentiousness, not liberty: any in-
" dulgencies shewn to the colonies heretofore, were
" like the indulgencies of parents to their infants;
" they ought to cease with that tender age; and, as
" the colonies grow up to a more vigorous state,
" they ought to be carefully disciplined, and all their
" actions regulated by strict laws. Above all things
" it is necessary, that the prerogative should be exer-
" cised with its full force in our American provinces,
" to restrain them within due bounds, and secure
" their dependance on this kingdom."

I AM afraid, that this will be the opinion of the Parliament, as it has been, in every instance, the undeviating practice of the Ministry.

BUT, Sir, it may be said, "these reasons are not
" conclusive, they do not demonstratively prove, that
" our privileges *will be* endangered by a change."
I grant the objection: but what stronger reasons, what clearer proofs are there, that they *will not be* endangered by a change?

THEY are safe now; and *why* should we engage in an enterprize that will render them *uncertain*? if nothing

thing will content us but a revolution brought about by ourselves, surely we ought to have made the strictest enquiries what terms we may expect; and to have obtained from the ministry some kind of security for the performance of those terms.

THESE things might have been done. They are not done. If a merchant will venture to travel with great riches into a foreign country, without a proper guide, it certainly will be advisable for him to procure the best intelligence he can get, of the climate, the roads, the difficulties he will meet with, and the treatment he may receive.

I PRAY the House to consider, if we have the slightest security that can be mentioned, except opinion (if that is any) either for the preservation of our present privileges, or gaining a single advantage from a change. Have we any writing? have we a verbal promise from any Minister of the Crown? We have not. I cannot therefore conceal my astonishment, that gentlemen should require a less security for the invaluable rights of *Pennsylvania*, than they would demand for a debt of five pounds. Why should we press forward with this unexampled hurry, when no benefit can be derived from it? Why should we have any aversion to deliberation and delay, when no injury can attend them?

It is scarcely possible, in the present case, that we can spend too much time, in forming resolutions, the consequences of which are to be *perpetual*. If it is true, as some averr, that we can *now* obtain an advantageous change of government, I suppose it will be also true next week, next month, and next year: but if *they* are mistaken, it will be early enough, whenever it happens, to be disappointed, and to repent. I am not willing to run risques in a matter of such prodigious

digious importance, on the credit of *any man's opinion*, when by a small delay, that can do no harm, the steps we are to take may become more safe. *Gideon*, though he had conversed with an "angel of the lord," would not attempt to relieve his countrymen, then sorely oppressed by the *Midianites*, lest he should involve them in greater miseries, until he was convinced by two miracles that he should be successful. I do not say, we ought to wait for *miracles*; but I think we ought to wait for something, which will be next kin to a miracle; I mean, some *sign* of a *favourable disposition* in the *ministry* toward us. I should like to see an *olive leaf* at least brought to us, before we quit the *ark*.

PERMIT me, Sir, to make one proposal to the House. We may apply to the Crown now, as freely as if we were under its immediate government. Let us desire his Majesty's judgment on the point, that has occasioned this unhappy difference between the two branches of the legislature. This may be done without any * violence, without any hazard to our constitution. We say, the justice of our demands is clear as light: every heart must feel the equity of them.

If the decision be in our favour, we gain a considerable victory; the grand obstruction of the public service is removed; and we shall have more leisure to carry our intentions coolly into execution. If the decision be against us, I believe the most zealous amongst us will grant it would be madness to expect success in any other contest. This will be a single point, and cannot meet with such difficulties, as the procuring a total alteration of the government. Therefore, by separating it from other matters, we shall

• Nihil vi, nihil secessione opus est. . . . Sall. Bell. Jugurth.

soon

soon obtain a determination, and know *what chance* we have of succeeding in things of greater value. Let us try our fortune. Let us take a cast or two of the dice for smaller matters, before we dip deeply. Few gamesters are of so sanguine a temper, as to stake their *whole wealth* on one desperate throw at first. If we are to play with the *public happiness*, let us act at least with as much deliberation, as if we were betting out of our private purses.

PERHAPS a little delay may afford us the pleasure of finding our constituents more unanimous in their opinions on this interesting occasion: and I should chuse to see a vast majority of them join with a calm resolution in the measure, before I should think myself justifiable in voting for it, even if I approved of it.

THE present question is utterly foreign from the purposes, for which we were sent into this place. There was not the least probability at the time we were elected, that this matter could come under our consideration. We are not debating how much money we shall raise: what laws we shall pass for the regulation of property; nor on any thing of the same kind that arises in the usual parliamentary course of business. We are now to determine, **WHETHER A STEP SHALL BE TAKEN, THAT MAY PRODUCE AN ENTIRE CHANGE OF OUR CONSTITUTION.**

In forming this determination, one striking reflexion should be preserved in our minds; I mean, "that we are the servants of the people of *Pennsylvania*," — of *that people*, who have been induced, by the excellence of the present constitution, to settle themselves under its Protection.

THE inhabitants of remote countries, impelled by that love of liberty which All-wise Providence has planted in the human heart, deserting their native soils, committed themselves with their helpless families to the mercy of winds and waves, and braved all the terrors of an unknown wilderness, in hopes of enjoying in these woods the exercise of those invaluable rights, which some unhappy circumstance had denied to mankind in every other part of the earth.

THUS, Sir, the people of *Pennsylvania* may be said to have *purchased* an inheritance in its constitution, at a prodigious price; and I cannot believe, unless the strongest evidence be offered, that they are now willing to part with that, which has cost them so much toil and expence.

THEY have not hitherto been disappointed in their wishes. They have obtained the blessings they sought for.

WE have received these seats by the free choice of this people, under this constitution; and to preserve it in its utmost purity and vigour, has always been deemed by me, a principal part of the trust committed to my care and fidelity. The measure now proposed has a direct tendency to endanger this constitution: and therefore, in my opinion, we have *no right* to engage in it, without the *almost universal consent of the people*, exprest in the plainest manner.

I THINK, I should improperly employ the attention of this House, if I should take up much time in proving, that the deputies of a people have not a right, by any law divine or human, to change the government under which their authority was delegated to them, without such a consent as has been mentioned.—The position is so consonant to natural justice and common sense, that I believe it

never has been seriously controverted. All the learned authors that I recollect to have mentioned this matter, speak of it as an indisputable maxim.

It may be (b) said, perhaps, in answer to this objection, "that it is not intended to change the government, but the governor." This, I apprehend, is a distinction only in words. The government is certainly to be changed from proprietary to royal; and *whatever may be intended*, the question is, whether such a change will not expose our present privileges to danger.

It may also be said, "that the petitions lying on the table, are a proof of the people's consent." Can petitions so industriously carried about, and, after all the pains taken, signed only by about thirty-five hundred persons, be looked on as the *plainest expressions of the almost universal consent* of the many thousands that fill this Province? No one can believe it.

It cannot be denied, Sir, that much the greatest part of the inhabitants of this Province, and among them men of large fortunes, good sense, and fair characters, who value very highly the interest they have in the present constitution, have not signed these petitions; and, as there is reason to apprehend, are extremely averse to a change at this time. Will they not complain of such a change? And if it is not attended with all the advantages they now enjoy, will they not have reason to complain? It is not improbable, that this measure may lay the foundation of more bitter, and more lasting dissensions among us, than any we have yet experienced.

BEFORE I close this catalogue of unhappy consequences, that I expect will follow our request of a

(b) This was frequently said in the House.

change, I beg leave to take notice of the *terms* of the petition, that is now under the consideration of the House.

THEY equally excite in my breast — — surprize, and grief, and terror. This poor province is already sinking under the weight of the discredit and reproaches, that by *some fatality*, for several years past, have attended our public measures; and we not only seize this unfortunate season to engage her in new difficulties, but prepare to pour on her devoted head, a load that must effectually crush her. — We inform the King, by this petition, that *Pennsylvania* is become a scene of confusion and anarchy: that armed mobs are marching from one place to another: that such a spirit of violence and riot prevails, as exposes his Majesty's good subjects to constant alarms and danger: and that this tumultuous disposition is so general, that it cannot be controuled by any powers of the present government; and that we have not any hopes of returning to a state of peace and safety, but by being taken under his Majesty's immediate protection.

I CANNOT think this a proper representation of the present state of this Province. Near four months are elapsed, since the last riot: and I do not perceive the least probability of our being troubled with any more. The rioters were not only successfully opposed, and prevented from executing their purpose; but we have reason to believe, that they were convinced of their error, and have renounced all thoughts of such wild attempts for the future. To whose threat is the sword now held? What life will be saved by this application? Imaginary danger! Vain remedy! Have we not *sufficiently felt* the effects of royal resentment? Is not the authority of the Crown *fully enough exerted* over us, does it become *us* to paint, in the strongest colours, the folly or the crimes of our *countrymen*?

To

To require unnecessary protection, against men who intend us no injury, in such *loose* and *general* expressions, as may produce even the *establishment* of an armed force among us ?

WITH unremitting vigilance, with undaunted virtue, should a free people *watch* against the encroachments of power, and *remove* every pretext for its extension.

WE are a dependant colony ; and we need not doubt, that means will be used to secure that dependance. But that we ourselves should furnish a reason for settling a *military establishment* upon us, must exceed the most extravagant wishes of those, who would be most pleased with such a measure.

WE may introduce the innovation, but we shall not be able to stop its progress. The precedent will be pernicious. If a specious pretence is afforded for maintaining a small body of troops among us now, equally specious pretences will never be wanting hereafter, for adding to their numbers. The burthen that will be imposed on us for their support, is the most trifling part of the evil. The poison will soon reach our vitals. Whatever struggles we may make to expell it,

Heret lateri letbalis arundo —

THE dart with which we are struck, will still remain fixed——too firmly fixed, for our feeble hands to draw it out. Our fruitless efforts will but irritate the wound ; and at length we must tamely submit to —— I quit a subject too painful to be dwelt upon.

THESE

THESE, Sir, are my sentiments on the petition that has occasioned this debate. I think this neither the *proper season*, nor the *proper method*, for obtaining a change of our government. It is *uncertain*, whether the measures proposed will place us in a better situation, than we are now in, with regard to the point lately controverted: with respect to other particulars, it may place us in a worse. We shall run the *risque* of *suffering great losses*. We have *no certainty* of *gaining* any thing. In seeking a *precarious, hasty, violent* remedy for the present *partial disorder*, we are *sure* of exposing the *whole body* to danger. I cannot perceive the necessity of applying such a remedy. If I did, I would with the greatest pleasure pass over to the opinion of some gentlemen who differ from me, whose integrity and abilities I so much esteem, that, whatever reasons at any time influence me to agree with them, I always receive a satisfaction from being on their side. If I have erred now, I shall comfort myself with reflecting, that it is an *innocent error*. Should the measures pursued in consequence of this debate be opposite to my opinion; and should they procure a change of government with all the benefits we desire; I shall not envy the praise of others, who, by their *fortunate* courage and skill, have conducted us unhurt, through the midst of such threatening dangers, to the wished-for port. I shall cheerfully submit to the censure of having been *too apprehensive* of injuring the people of this Province. If any severer sentence shall be passed upon me by the worthy, I shall be sorry for it: but this truth I am convinced of; that it will be much easier for me to bear the unmerited reflexions of *mistaken zeal*, than the just reproaches of a *guilty mind*. To have concealed my real sentiments, or to have counterfeited such as I do not entertain, in a deliberation of *so much consequence* as the present, would have been the *basest hypocrisy*. It may perhaps be thought that this however would have been the most
politic

politic part for me to have acted. It might have been so. But if *policy* requires, that our words or actions should *belye* our hearts, I thank God that I *detest* and *despise* all its *arts*, and all its *advantages*. A good man *ought* to serve his country, even though she *resents* his services. The great reward of honest actions, is not the fame or profit that follows them, but the *consciousness* that attends them. To discharge, on this important occasion, the *inviolable duty* I owe the public, by obeying the *unbiassed dictates* of my *reason* and *conscience*, hath been my sole view; and my only wish now is, that the resolutions of this House, whatever they are, may promote the happiness of *Pennsylvania*,

E I N I S

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